

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**AC2T, Inc., d/b/a
Spartan Mosquito,**
Plaintiff

Case No. 2:19-cv-5946-RBS

v.

Colin Purrington,
Defendant

REPLY OF DEFENDANT TO MOTION FOR CONTEMPT

Defendant Colin Purrington submits this Reply to the Plaintiff Motion for Contempt, noting that the Motion is lacking any true substantive basis and there is no harm or prejudice to Plaintiff; moreover, Plaintiff itself remains out of compliance with a discovery Order of this Court and has yet to agree to a date certain for their depositions, and has unclean hands.

Indeed, the Defendant was deposed on September 8, 2022. During that deposition the Defendant responded, or objected where appropriate, specifically and directly to these requests. Plaintiff certainly had no issue, and raises none, finding or using the wealth of disclosed communications produced and used at the deposition. Following the Deposition, unfortunately, Mr. Purrington was called out of state, and only returned on October 13, 2022.

Sadly, Mr. Purrington has been dealing with a serious family emergency after his 83 year old father was hospitalized with life-threatening issues, and his father's partner of 25 years died suddenly due to Hurricane Ian. His father remained hospitalized for two weeks, and was not able to return to his home. After his father was evicted, Colin had to remain and assist with handling his affairs, as the *de-facto* power of attorney, and dealing with no internet and no or intermittent power. Unfortunately, his father was re-hospitalized, where he currently remains. He is expected to be transferred to a hospice in the near future. Colin has been fairly overwhelmed from taking on these responsibilities and dealing with the estate of his father's partner.

Defendant notes, again, that he exchanged his production in June of 2020, his communications remain publicly available on facebook, twitter, and his blog– and that he has now been cross-examined on these extensively. There is no actual harm or prejudice to the Plaintiff, and there is certainly no willful or any intent to disregard an Order of this Court by the Defendant.

Further, Mr. Purrington needed some time to process and review his documents. He has sent the one or two other communications which may be relevant, and re-supplied all applicable communications requested to Plaintiff under these requests. There simply are no other documents, even if the Plaintiff wishes there were.

In light of the above, respectfully, the Court should deny this Motion.

Respectfully submitted,



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CERTIFICATE OF SERVICE AND CERTIFICATE OF RESOLUTION

I, Trevor C. Serine, Esquire, attorney for Defendant Colin Purrington, hereby certify that I served a true and correct copy of the Motion upon the following parties in the manner indicated on 10/19/2022. I further certify that I have reasonably attempted to this issue with opposing counsel, without success.

VIA ELECTRONIC FILING NOTICE

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By: _____



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